

04.11.2022

Item No.5

Ct.No.34

dc.

Allowed

C.R.M. (SB) 260 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Pathar Pratima Police Station Case No. 158 of 2022 dated 03.06.2022 under Section 8 of the Protection of Children from Sexual Offences Act, 2012 (Special POCSO Case No. 33/2022).

And

In Re : **Sovan Parua**

... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kumar Mondal,
Mr. Sumit Routh

... For the Petitioner.

Ms. Zareen N. Khan,
Md. Kutubuddin

... For the State.

Mr. Basu, learned advocate appearing for the petitioner submits that the petitioner is aged about 55 years and happens to be a relation and is in custody for about 155 days. Learned advocate additionally submits that there is a dispute relating to a common passage which led to the registration of the present case.

Mr. Kutubuddin, learned advocate appearing for the State produces the case diary and opposes the prayer for bail. Learned advocate submits that charge has already been framed in connection with the instant case and dates have been fixed for examination of evidence of the victim.

Having regard to the period of detention of the present petitioner, I am of the opinion that the petitioner may be released on bail.

Accordingly, the petitioner viz., **Sovan Parua** shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under POCSO Act, Kakdwip, South 24-Parganas.

If on bail, the petitioner shall not enter the jurisdiction of Pathar Pratima Police Station and would inform the Inspector-in-Charge/Officer-in-Charge, Pathar Pratima Police Station regarding the address where he would be staying pursuant to his release on bail. The petitioner shall meet the Inspector-in-Charge/Officer-in-Charge of the concerned police station where he would be residing once in a fortnight until further orders. The petitioner shall be physically present on each and every date fixed by the learned Special Court and in case, no date is fixed in a month, he should make himself available and obtain acknowledgement of the said month from the office of the learned Special Court.

Any violation of the aforesaid conditions would empower the learned Special Court to cancel the bail of the petitioner without further reference to this Court.

The application for bail, being CRM (SB) 260 of 2022, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)